

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:11cv148**

<b>EVELYN N. KEEVER,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b><u>O R D E R</u></b>
	)	
<b>MICHAEL J. ASTRUE,</b>	)	
<b>Commissioner of Social Security,</b>	)	
	)	
<b>Defendant.</b>	)	
	)	

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**THIS MATTER** is before the Court on the parties' cross Motions for Summary Judgment [Docs. 12 and 19], and the Magistrate Judge's Memorandum and Recommendation [Doc. 21] regarding the disposition of those motions.

Pursuant to 28 U.S.C. § 636(b) and a specific Order of referral of the district court, the Honorable Dennis L. Howell, United States Magistrate Judge, was designated to consider these pending motions in the above-captioned action and to submit to this Court a recommendation for the disposition of these motions.

On June 1, 2012, the Magistrate Judge filed a Memorandum and Recommendation [Doc. 21] in this case containing proposed conclusions of

law in support of a recommendation regarding the motions [Docs. 12 and 19]. The parties were advised that any objections to the Magistrate Judge's Memorandum and Recommendation were to be filed in writing within fourteen (14) days of service. The period within which to file objections has expired, and no written objections to the Memorandum and Recommendation have been filed.

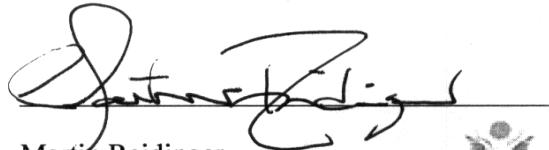
After a careful review of the Magistrate Judge's Recommendation [Doc. 21], the Court finds that the proposed conclusions of law are consistent with current case law. Accordingly, the Court hereby accepts the Magistrate Judge's Recommendation that the Defendant's Motion for Summary Judgment be granted, that the Plaintiff's Motion for Summary Judgment be denied, and that the decision of the Commissioner be affirmed.

**IT IS, THEREFORE, ORDERED** that the Magistrate Judge's Memorandum and Recommendation [Doc. 21] is **ACCEPTED**; the Plaintiff's Motion for Summary Judgment [Doc. 12] is **DENIED**; the Defendant's Motion for Summary Judgment [Doc. 19] is **GRANTED**; and the decision of the Commissioner is **AFFIRMED**.

A judgment shall be entered simultaneously herewith.

**IT IS SO ORDERED.**

Signed: June 26, 2012



Martin Reidinger  
United States District Judge

